

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:20-CV-00504-FDW-DSC

CPI SECURITY SYSTEMS, INC.

Plaintiff,

v.

VIVINT SMART HOME, INC.
f/k/a MOSAIC ACQUISITION CORP.;
LEGACY VIVINT SMART HOME, INC.
f/k/a VIVINT SMART HOME, INC.

Defendants.

**DEFENDANTS' TRIAL WITNESS
LIST**

Pursuant to section 4(c)(i)(6) of the Case Management Order, Defendants Vivint Smart Home, Inc. and Legacy Vivint Smart Home, Inc. (together, "Vivint") disclose the following witnesses they may offer at trial:

A. VIVINT EMPLOYEES

Expected to testify:

1. Kent Hansen, V.P. Legal and Compliance, c/o Greenberg Trauwig, P.A., 450 South Orange Ave, Suite 650, Orlando, Florida 32801. Mr. Hansen is expected to testify regarding Vivint compliance, code of conduct, management of alleged deceptive sales practices and complaints.
2. Starr Fowler, Vivint Chief People Officer, c/o Greenberg Trauwig, P.A., 450 South Orange Ave, Suite 650, Orlando, Florida 32801. Ms. Fowler is expected to testify regarding the nature of Vivint's products and services, compliance training, marketing, and organizational structure.

May testify:

1. Jaron Quigley, Sr. Director of Customer Loyalty, c/o Greenberg Trauwig, P.A., 450 South Orange Ave, Suite 650, Orlando, Florida 32801. Mr.

Quigley may testify regarding Vivint's records and processes concerning information related to customer accounts.

2. Pat Kelliher, Vivint Chief Accounting Officer, c/o Greenberg Traurig, P.A. 450 South Orange Ave, Suite 650, Orlando, Florida 32801. Mr. Kelliher may testify regarding financial issues and marketing expenses.
3. Any individual designated as a Vivint Rule 30(b)(6) deposition witness. This individual may testify based upon the scope of supplemental 30(b)(6) topics, if any.

B. VIVINT EXPERTS (Expected to testify)¹

1. Mark Gustafson. Expected to testify to rebut CPI's alleged damages consistent with his expert report disclosed in this matter.
2. Brian Buss. Expected to testify to rebut CPI's alleged damages consistent with his expert report disclosed in this matter.

C. CUSTOMER WITNESSES (May testify). The following individuals are former customer of CPI who are expected to testify regarding their interactions with Vivint sales representatives.

1. Debra Conyers, 13642 Armour Ridge Dr., Charlotte, NC 28273
2. Oatis Smith, 4720 Gibbons Link Road, Charlotte, NC 28269
3. Monique Spears, 7742 McCarron Way, Charlotte, NC 28215
4. Patricia Diggs, 3104 Brittany Dawn Pl, Charlotte, NC 28208
5. Shaundrika Rutherford, 4704 Bryn Athyn Ct., Charlotte, NC 28269
6. Tiffany Logan, 7212 Pitzer Driver, Charlotte, NC 28269
7. Lakeata Johnson, 2070 Ayrsley Town Blvd, Charlotte, NC 28273
8. Alfred Wynn, 3643 Chepstow Ct., Charlotte, NC 28262

¹ Experts to be contacted through counsel of record for Vivint, c/o Greenberg Traurig, P.A. 450 South Orange Ave, Suite 650, Orlando, Florida 32801.

9. Shawanda Legall, 4416 Gatesmills Ave, Charlotte, NC 28213
10. Chantel Cureton, 9052 Bradstreet Commons Way, Charlotte, NC 28215
11. Williams Hawkins, 14002 Millers Creek Ln, Charlotte, NC 28278
12. Tonya Bobbitt, 10323 Snowbell Ct, Charlotte, NC 27527
13. William Gause, 1071 Matchstick Pl SW, Concord, NC 28025
14. Melvin Barnes, 2500 Treeline Drive, Concord, NC 28027
15. Tyler Justice, 4206 Clifftonville Ave SW, Concord, NC 28025
16. Vanessa Walker, 6147 Maple Leaf Ave, Harrisburg, NC 28075
17. Diron Chloe, 4522 Fallowood Ter, High Point, NC 27265
18. Miriam Garcia, 713 Nance Ave, High Point, NC 27263
19. Earl Mebane, Jr., 3924 Fountain Grove Dr., High Point, NC
20. Denis McDowell, 11229 Warfield Ave, Huntersville, NC 28078
21. Jereme Lukoskie, 2107 Balting Glass Dr., Indian Trail, NC 28079
22. Kevin Daniel, 1121 Capricon Ave, Indian Trail, NC 28079
23. Coy Medley, 143 High Ridge Ct, Lexington, NC 27295
24. Sara Danison, 5068 Stonehill Ln, Matthews, NC 28104
25. Frank Cherry, 12003 Aston Ct, Matthews, NC 28105
26. Dibania Brito, 4031 Huntley Glen Drive, Pineville, NC 28134
27. Wanda Peebles, 360 Walden Ridge Ct, Winston Salem, NC 27127
28. Cynthia Williams, 5330 Gyddie Dr., Winston Salem, NC 27105
29. Quincy Washington, 1191 Pollyanna Dr, Winston Salem, NC 27105
30. Clarence Parks, 249 Quick Silver Dr, Winston Salem, NC 27127

31. Ray Lacy, 4105 Field Crossing Dr, Winston Salem, NC 27107
32. Paris Crowell, 1710 Burton St, Winston Salem, NC
33. Michelle Card, 5358 Northridge Dr, Winston Salem, NC 27105
34. Melissa Manns, 5262 Northridge Dr, Winston Salem, NC 27105
35. Danielle Harrison, 4223 Field Crossing Dr, Winston Salem, NC 27107
36. Jeffrey Salinas-Medina, 323 Wright St, Winston Salem, NC 27127
37. Gregory Dennis, 661 McLean Ave, Winston Salem, NC 27127
38. Ember Styers, 1372 Fort Place Ct, Winston Salem, NC 27127
39. Diamond Lott, 9163 Bradstreet Commons Way, Charlotte, NC, 28215
40. Alline Maxwell, 1501 Grovewood Drive, Charlotte, NC 28208 (may testify by deposition designation)
41. Janet Newmark, 2706 Cheverny Place, Concord, North Carolina, 28027

D. CPI OFFICERS, MANAGERS AND CORPORATE DESIGNEES.

1. John Shocknesse, VP of Customer Operations, c/o Shook, Hardy & Bacon L.L.P., 2555 Grand Boulevard, Kansas City, Missouri 64108. (May testify by deposition designation or live testimony). Mr. Shocknesse was designated by CPI in response to Vivint's notice of Rule 30(b)(6) deposition of CPI. His testimony relates to CPI's claimed damages and other issues relating to CPI's Amended Complaint allegations and Vivint defenses, as set forth in the topics listed in Vivint's Rule 30(b)(6) topics.
2. Ken Gill, Chief Executive Officer, c/o Shook, Hardy & Bacon L.L.P., 2555 Grand Boulevard, Kansas City, Missouri 64108. (Expected to testify). Mr. Gill's testimony relates to CPI's claimed damages against Vivint and relations to CPI's alleged damages to its goodwill and reputation as a basis for CPI's damages.
3. Eric Schachner, Chief Financial Officer of CPI Security Systems, Inc., c/o Shook, Hardy & Bacon L.L.P., 2555 Grand Boulevard, Kansas City, Missouri 64108. (May testify by deposition designation or live testimony). Mr. Schachner was designated by CPI in response to Vivint's notice of Rule 30(b)(6) deposition of CPI. His testimony relates to CPI's claimed damages

and other issues relating to CPI's Amended Complaint allegations and Vivint defenses, as set forth in the topics listed in Vivint's Rule 30(b)(6) topics.

E. OTHER WITNESSES (May testify)

4. Jorge Millares, former CPI employee and former executive director of Queen City Unity, 11231 Quiet Wood Court, Charlotte, NC 28277. (May testify by deposition designation or live testimony). Mr. Millares' testimony relates to the corporate culture of CPI and the controversial statements made by CPI's CEO, Ken Gill.
5. Kelley Phelps, former CPI employee, c/o Garrison, Levin-Epstein Fitzgerald & Pirrotti, P.C., 405 Orange Street, New Haven, CT, 06511 and Law Office of Faith Herndon, 115 E Main Street, Durham, NC, 27701. Ms. Phelps' testimony relates to claims and representations made by CPI in its Rule 30(b)(6) deposition testimony, the effect of Mr. Gill's statements to CPI employees and the public on CPI's claimed conduct and damages against Vivint, and relates to CPI's alleged damages to its goodwill and reputation as a basis for CPI's damages.
6. Any individual listed on CPI's trial witness list.²
7. Any witness required to lay foundation for any exhibits.
8. Any witness to rebut any issue raised by CPI's evidence or witnesses.

Vivint expressly reserves the right to amend or supplement this list as additional information becomes available and, pursuant to the Court's Case Management Order, information and documents to be used for impeachment and/or cross-examination of any witness CPI calls to testify.

² By cross-listing, Vivint does not concede the admissibility of any such witness testimony.